TESTIMONY OF THE HON. JOHN SINCLAIR, PRESIDENT THE LITTLE SHELL TRIBE OF CHIPPEWA INDIANS OF MONTANA

SENATE COMMITTEE ON INDIAN AFFAIRS HEARING ON THE PROCESS OF FEDERAL RECOGNITION OF INDIAN TRIBES SEPTEMBER 19, 2007

Chairman Dorgan, Vice Chairman Murkowski, and honorable members of the Senate Committee on Indian Affairs, I thank you for the opportunity to testify this morning. To our good friend and strong advocate Senator Jon Tester, I thank you for your tireless efforts on behalf of the Little Shell Tribe.

My name is John Sinclair, and I am the President of the Little Shell Tribe. Following in the footsteps of my father and grandfather, I have had the honor to serve as President of my Tribe for the past four years. I am here today to share with you our history with the federal government, our experience with the Federal Acknowledgment Process (FAP) and our request that this honorable body act to ensure federal recognition for my people. The recognition for which we ask you today has been promised to us for more than seventy years. The following 1935 letter from the Department of the Interior from which I quote below is just one piece of a large volume of documentation reflecting the federal government's long, but as of yet unsuccessful, efforts to provide official recognition and a land base for the Little Shell people:

This [letter] acknowledges your letter of January 28, [1935] written in behalf of landless Indians in northern Montana and suggesting that a certain tract of land be set aside for their use.

This Office [the Lands Division for Indian Affairs] in general and the commissioner [John Collier] in particular are thoroughly cognizant of the unfortunate situation in which these landless Indians find themselves. To no other groups of Indians is so much constructive thought and persistent effort being directed, for it is fully realized that theirs is the greatest need.

Also it is most heartening to read in your letter your forthright assurance that, once lands are placed to your use, you will be proud to make good.

All government enterprises move slowly in spite of the best of intentions, but it is hoped and believed that in the not too

distant future a satisfactory plan will be consummated for landless Indians in general, including, of course, the group to which you belong.

Letter to Joseph H. Dussome from J.N. Stewart, Chief, Land Division, Indian Affairs, Department of the Interior (March 2, 1935) (emphasis added).

Federal recognition for our Tribe enjoys long-standing broad, bi-partisan support. Identical legislation to recognize the Little Shell Tribe has been introduced this Congress by Senators Tester and Baucus in the Senate (S. 724) and by Congressman Rehberg in the House (H.R. 1301). Tribes in Montana and our cousins the Turtle Mountain Band of Chippewa Indians in North Dakota, have expressed their support of our federal recognition.

Governor Schweitzer and the Montana State Legislature, by Joint Resolution, have expressed their support for our federal recognition. Hill, Cascade, Glacier and Blaine County as well as the City of Great Falls, the local governments most directly impacted by our recognition, have expressed their support of legislation to recognize the Little Shell Tribe. In fact, over the past year **the State of Montana has provided us land** from which we can provide essential governmental services -- something the federal government had promised to do throughout the twentieth century but has yet to succeed in doing.

The Department of the Interior has issued a proposed finding in favor of federal recognition for our Tribe. Within the next year, we anticipate that the Department of the Interior could issue a final determination as to whether to recognize our Tribe. On the surface, it may seem odd that we would seek federal legislation when we appear to be so far along in the administrative process. The answer is simple. First, as leader of the Little Shell Tribe, I cannot in good conscience let another day go by without doing everything in my power to secure recognition that has been wrongfully withheld. Every day that passes has real life consequences for my people, consequences that never make the headlines in Washington, D.C. – tribal members denied the most basic health care services, a tribal government without a federally secured land base or federal funding to provide and maintain essential governmental services.

Second, the Department has acted on our petition in a unique manner. The Department concluded in its proposed favorable finding that we are a Tribe, but it "encouraged" us to submit more documentation. Basically, the Department found that the available evidence supported its findings on each of the criteria, that no evidence was submitted in opposition to the particular finding, but that the Department would prefer to have additional records for certain time periods before the 1930s. We took the Department's suggestions to heart, submitting approximately 1000 pages of additional reports and appendices supported by several boxes of documentation.

We are therefore in a situation where the Department essentially stated in 2000 that it believes we are a tribe but that without additional documentation it could walk away from its favorable finding. Concerned with its application of the regulations to our Tribe, the Department expressly invited comment on the consistency of the proposed finding with the existing regulations. To the best of our knowledge, not a single recognized tribe or state governmental entity commented on or objected to the Department's proposed favorable finding as inconsistent with the regulations. We now find ourselves in an uncertain situation where we fear that the Department may reverse its finding even though we have submitted thousands of pages of additional evidence and neither the

State, its local governments nor other federally recognized tribes have submitted evidence to the contrary or objected to the Department's proposed favorable finding.

Third, our legislation does more than simply confirm federal recognition. It addresses many of the issues newly recognized tribes and local communities struggle with for decades after formal federal recognition – the establishment of a land base, a tribal service area and certainty that our recognition will not be revoked. It is well documented that it takes years and sometimes more than a decade for the Department of the Interior to take land into trust for newly recognized tribes. For example, it took eight years after the Jena Band of Choctaw Tribe was recognized before Interior took that Tribe's cemetery and governmental offices into trust. Some of this delay is due in part to the application of the National Environmental Policy Act to these acquisitions. Further, many tribes suffer from the years it takes for the Department to establish a service area for the newly recognized tribe. For example, after completion of administrative challenges to the Department's final determination acknowledging the Cowlitz Indian Tribe in 2002, the Cowlitz Tribe still does not have a BIA-designated service area. Thus, we know that even if Interior issues a decision within the year, the Tribe could be forced to endure many additional years in legal limbo as it struggles to establish a land base and service area.

Although the State of Montana, the federally recognized tribes within Montana and local governments support our recognition, it is becoming increasingly common for parties to challenge the Department's acknowledgment decisions. And most recently, the Department reversed its decision to acknowledge a tribe because of such a challenge. While we do not expect a challenge from a governmental entity within the State of Montana, we cannot say with certainty that a decision by Interior to acknowledge our Tribe will not be challenged. Such challenges typically take years to resolve. Thus, we believe that legislation makes sense even if Interior is on track to issue a decision within a year. The legislation reflects the desires of the Tribe, the State and the local governments most directly impacted by our recognition. That is why we seek legislative recognition.

I. OUR HISTORY WITH THE FEDERAL GOVERNMENT.

My Tribe, historically often referred to as the "landless Indians," has been the subject of federal legislation since the early 1900s. The Little Shell Band is the successor in interest to the Pembina Band of Chippewa Indians in North Dakota. We were buffalo hunters who lived and hunted around the Red River and the Turtle Mountains in North Dakota in the early 1800s. The Pembina Band was recognized by the United States in an 1863 Treaty ratified by the Senate. This treaty gave the United States possession of the section of our lands near the Red River. After that treaty, while some members of the Pembina Band settled on reservations in Minnesota others followed the buffalo herds into western North Dakota and Montana, eventually settling in Montana and in the Turtle Mountains of North Dakota.

In 1890, the United States authorized the creation of a commission to negotiate for a cession of land from the Turtle Mountain Chippewa and provide for their removal. Chief Little Shell and his followers walked out on the negotiations and refused to accept the terms of the eventual agreement. In the years that followed the 1892 Agreement, some of Little Shell's followers moved to Montana and joined with other members of the Pembina Band that had settled in Montana. After their traditional livelihood came to an end with the disappearance of the buffalo, Little Shell people were left to barely eke out an existence in a number of shantytowns across Montana, competing with both local reservation Indians and white settlers for resources. The Little Shell

became known as the "landless Indians" of Montana. Like many American Indian people, we faced severe racism and discrimination throughout Montana, some of which continues today.

A. CONGRESSIONAL EFFORTS TO ASSIST THE LITTLE SHELL BAND 1900 – 1920.

Congress began appropriating money to buy land for the landless Little Shell as early as 1914, when it set aside funds to be used for "support and civilization of Rocky Boy's Band of Chippewas, and other indigent and homeless Indians in the State of Montana[.]" 38 Stat. L. 582. Every year thereafter until 1925, Congress consistently appropriated funds for the Rocky Boy's Band and the "homeless Indians in the State of Montana." Nearly simultaneously, in 1916, Congress enacted legislation establishing a "reservation for Rocky Boy's Band of Chippewas and such other homeless Indians in the State of Montana as the Secretary of the Interior may see fit to locate thereon" Shortly after the reservation was set aside, the Department established a tentative roll of the Indians of the reservation. The initial list consisted of 657 individuals. In preparing the final roll, Interior eliminated 206 applicants from the list. The Indian Inspector reported that he had "given first consideration to the needs of the older and homeless Indians, without means of support." Department of the Interior, Proposed Finding for the Little Shell Tribe of Chippewa Indians of Montana, Technical Report ("Technical Report") at 86. Shut out by the Department, Little Shell members were forced to subsist on vacant lands in north-central and north-western Montana.

B. THE LITTLE SHELL BAND'S REPEATED PLEAS FOR ASSISTANCE: 1920 – 1934

Newspaper articles of the 1920s chronicled the plight of our ancestors. Newspapers in the Great Falls area reported the City's failed attempts to remove "the Indians who have been long encamped" on the edge of town. Technical Report at 90. In December 1931, Little Shell Tribe/Homeless Indians leader Joseph Dussome explained to the Commissioner of Indian Affairs that the landless Indians of Montana lived on the "dump piles of our Towns . . . going to the back allies, digging down the swill barrels for their daily bread." Mr. Dussome pleaded for help, stating "that a great injustice has been done to my fellow Chippewa and Cree Indians of Northern Montana. Are we not entitled to a Reservation and allotments of land in our own Country, just the same as other Indians are[?]"

Less than two weeks after receiving Dussome's plea for assistance, Interior responded that because we had refused to sign a Treaty and had removed from the land in North Dakota, we did not retain rights to land at Turtle Mountain:

The Indians referred to are Chippewas of the Turtle Mountain Band. They were under the leadership of Little Shell who became dissatisfied with the treaties of the United States and the Turtle Mountain Band of Chippewas. He accordingly refused to accede thereto The disaffected band, by its failure to accede to the terms of the treaty and remove to the reservation is now unable to obtain any rights thereon for the reason that the lands of this band are all disposed of, and the rolls became final[.] . . . There is now no law which will authorize the enrollment of any of those people with

the Turtle Mountain band for the purposes of permitting them to obtain either land or money.

The Little Shell Tribe thus remained homeless.

C. Interior's Efforts to Establish a Reservation and Reorganize our People Under the Indian Reorganization Act.

Reflecting the significant shift in modern federal Indian policy, three years after Interior's rejection of Dussome's plea, Congress sought to remedy situations such as ours through the enactment of the Indian Reorganization Act ("IRA") in 1934. We had continued our pursuit of a tribal land base by meeting with Interior Department officials shortly before the passage of the IRA. During one trip, tribal leader Dussome impressed upon the Commissioner of Indian Affairs the dire straits of our people. This trip, combined with passage of the IRA, triggered a flurry of activity by the Department to acquire lands for the Little Shell. Initially, Interior officials in Washington, D.C. pursued lands near the Ft. Belknap Reservation, stating:

The Office [of Indian Affairs] referred to certain plans to purchase tracts of land in Montana which could be set aside for the use of the Chippewa Indians, special mention being made of a project to acquire 'some 20,000 acres near the Fort Belknap reservation.' Plans for the use of this area do not in any sense contemplate the mixing of the Chippewa Indians with those now on the Fort Belknap reservation. The area under negotiation is not part of the Fort Belknap reservation and justification for its purchase is not based on the needs of the Fort Belknap Indians. If it is purchased it will be available for the use of the Chippewa Indians exclusively[.]

Plans for settling the Little Shell Band on the parcel near Ft. Belknap were abandoned by the Department based on the belief that our ancestors were not willing to settle on that land.

In the mid 1930s, the Department expended considerable effort to acquire land near the Rocky Boy's Reservation for our people. Assistant Commissioner Zimmerman explained that the land could be established as a new reservation for the landless Indians or added to the Rocky Boy's Reservation. Although original estimates suggested that the acquisition would be sufficient for approximately 100 families, the Department ultimately concluded that the purchased land could only accommodate 25 families.

The conclusion that the parcel near the Rocky Boy's Reservation was insufficient to meet existing needs did not deter the Department from its efforts to find land for the Little Shell. Interior officials underscored the Department's determination to secure a land base for our people, explaining:

The landless Indians whom we are proposing to enroll and settle on newly purchased land belong to this same stock, and their history in recent years is but a continuation of the history of wandering and starvation which formerly the Rocky Boy's band had endured. Out of the land purchase funds authorized by the Indian Reorganization Act, we are now purchasing about 34,000 acres for the settlement of these Indians and also to provide irrigated hay land for the Indians now enrolled on Rocky Boy's Reservation. The new land, if devoted wholly to that purpose, would take care of only a fraction of the homeless Indians, but it is our intention to continue this program through the years until something like adequate subsistence is provided for those who cannot provide for themselves. . . . The fact of these people being Indian and being entitled to the benefits intended by Congress has not been questioned.

The Department realized that although "it would be highly desirable to secure a single area or reservation which would meet the needs of all the Chippewa Indians of Montana . . . this seems to be impossible at this time . . . [and] the Indians must adjust their plans to take advantage of the best that we can secure for them." Reflecting this sentiment, during this time period, the Bureau of Indian Affairs acquired a 42-acre tract of land near Great Falls, Montana. The land was acquired for the benefit of landless Indians located in the vicinity of Great Falls. Although Little Shell members were ready to move to the parcel, Interior explained that "[l]ocal public opinion forced the abandonment of the project. Local residents of the vicinity did not wish the Indians as their neighbors." In 1950, Congress enacted legislation providing for the sale of those lands. P.L. 714, 81st Congress, 2d Session, August 18, 1950.

D. THE ROE CLOUD ROLL – THE DEPARTMENT OF THE INTERIOR PREPARES AN INDIAN ROLL TO FACILITATE ORGANIZATION UNDER THE IRA

In addition to its efforts to secure a reservation near the Rocky Boy's Reservation, Interior took steps to prepare a detailed census of our people who were one-half or more Indian blood. In December of 1935, the Commissioner of Indian Affairs submitted a proposed form of enrollment under the IRA. The Commissioner explained that the form was modeled upon a number of other tribal enrollment forms. In his memorandum seeking approval, the Commissioner emphasized the plight of the Little Shell people, stating:

It is very important that the enrollment of homeless Indians in the State of Montana be instituted immediately, and it is proposed to use this form in the determination of Indians who are entitled to the benefits of the Indian Reorganization Act.

This enrollment process resulted in the Roe Cloud Roll, named after Dr. Henry Roe Cloud, an Interior official who played a large part in the enrollment project. Leaders of the Little Shell Tribe provided invaluable assistance to the enrollment project. As one Indian Affairs official explained, Joseph Dussome's "services were indispensable in identifying the Indians and in advising us where to locate them."

Our current members are generally the descendents of Indians who were either on the Roe Cloud Roll or immediate kin to someone on the roll. The Roe Cloud Roll is important for a number of reasons, including that it is a federal document certifying our ancestors as being one-half or more Indian blood and it reflects the efforts and intentions of the Department to provide for the

reorganization of our Tribe. These efforts were taken to reverse the destructive federal policies of previous decades.

E. STATE AND FEDERAL EFFORTS TO SECURE FEDERAL RECOGNITION FOR OUR PEOPLE: 1940 – 1950

As Interior moved forward on the enrollment project, its progress in acquiring lands for the Little Shell slowed largely because of the lack of federal appropriations to acquire land. In other words, had appropriations been sufficient to acquire land, it appears that both the Department and the State of Montana strongly supported establishment of a reservation for our people. Had a reservation been established, we would be recognized today.

Records from this time period provide ample evidence that the lack of appropriations prevented our recognition. For example:

- Assistant Commissioner Zimmerman explained to Senator Murray in 1940, "[t]he Indian Office is keenly aware of the pressing need of the landless Chippewa Cree Indians of Montana. The problem thus far has been dealt with only in a very small way. I sincerely hope that additional funds will be provided for future purchases in order that the larger problem remaining can be dealt with in a more adequate manner." May 13, 1940 Letter from Assistant Commissioner Zimmerman to Senator James E. Murray.
- In 1941, the Montana State Senate and House highlighted our plight of "living in makeshift dwellings on the outskirts of our various Montana Cities" and sent a Joint Memorial to the United States Congress urging the Congress "to immediately enact appropriate legislation to create an Indian Reservation for all Montana landless Indians."
- In response to the local Superintendent's request for funds so that tribal leader Dussome could travel to Washington to advocate for the purchase of land, Commissioner John Collier (largely credited as the architect of the IRA) explained:

[Our] Office, as you know, has been sympathetic toward the desires of these people to secure land upon which they could settle and build homes. Unfortunately appropriations have not been sufficient to permit us to do much in the way of rehabilitating this group upon newly acquired lands. Various members of the Congressional delegation from Montana have been interested in the condition of these people [l]ittle can be accomplished by the Indian Office until funds have been made available by Congress for their rehabilitation[.]

• That same year, Assistant Commissioner Zimmerman underscored the Department's dilemma – that it desperately wanted to assist our people but that it could not do so because of a lack of appropriations.

We have on several occasions studied this problem and can see no way in which any solution can be arrived at without specific, adequate appropriations. There are more than 500 families in the State without resources of any kind, who have no equity in any reservation, and who constitute a serious social problem. Essential to any scheme of self-support for them is an adequate land base. . . . To provide necessary land for this number of families would require a million dollars, in addition to some lands now part of the public domain. Another million would be required for loans and grants for cattle purchases, machinery, homes, and farm buildings. . . .

We are ready to undertake this task if the Congress is willing to provide the necessary funds.... The project is perfectly feasible; the Indians undoubtedly are in great need; they deserve some effort on the part of the Federal Government. We shall be happy to cooperate in any way.

 Responding to a petition requesting that a nearby ranch be purchased for our benefit, the Office of Indian Affairs explained their predicament to Joseph Dussome:

As mentioned in prior correspondence there are no funds available with which to enter into a land purchase program for the benefit of the landless Indians of Montana. We fully appreciate the land needs of these Indians, and it is our desire to aid them at the first opportunity. As stated before, such action will be dependent upon the availability of funds. . . . As previously intimated, a large sum will be necessary to take care of the land needs of the group in which you are interested, and until such time as Congress appropriates the necessary funds for this purpose, we will be able to do very little.

In 1949, the Department reiterated its desire to assist my people and its inability to establish
a land base because of the lack of appropriations. In a letter to Representative Mike
Mansfield, Acting Commissioner William Zimmerman explained:

Receipt is acknowledged of your letter of February 1, enclosing one from Hon. John W. Bonner, Governor of Montana, concerning the landless Indians of Montana with particular reference to their destitution and need for rehabilitation.

Our files contain considerable correspondence concerning the needs of these Indians and suggested plans for their rehabilitation, but due to lack of funds this office has been unable to do very much to relieve the situation. . . . Before anything can be done for the relief of these Indians, it will be necessary for Congress to appropriate adequate funds for that purpose.

In 1940, a tribal representative of the Little Shell Tribe perfectly summarized the quandary of the Tribe, stating:

[Assistant Commissioner] Zimmerman . . . told us that we couldn't have any allocation or organization or corporate charter under this act until we have land. He said 'we haven't got money to buy land and appropriations have been drastically cut from year to year and there is nothing we can do.' Summing up our negotiations with the Interior Department we come to this conclusion: First, we are entitled to rights as an Indian but as to forming an organization, borrowing from the revolving loan, we must first have a charter. We can't get a charter unless we have land. We can't have land because the Indian Office is broke . . .

Because adequate funds were never appropriated to acquire land for my people, the Tribe continued to struggle over the decades that followed to satisfy the basic needs of our members. As you know, in the late 1970s the Department of the Interior formulated an administrative process. Because we are in the final stages of that process, I do not feel it is in the best interest of my Tribe to criticize the process or the Department. I will, however, provide a few general observations regarding our petition for acknowledgment.

II. OUR EXPERIENCE WITH THE ADMINISTRATIVE PROCESS

We originally filed a letter petitioning for federal acknowledgment on April 28, 1978, *almost six months before* Interior's administrative process for acknowledgment was created. The process has proved to be extremely resource intensive. I believe that the lack of available resources greatly hinders both the tribes in the process and the Department.

Over the past 29 years, we have been fortunate to receive the services of the Native American Rights Fund. Without their assistance, it's unfathomable that we could have found the funds necessary to retain legal counsel and consultants for this extended period of time. Over the past 15 years, NARF has spent over 3,400 attorney hours on our administrative petition. Consultants and graduate students put in thousands and thousands of additional hours. Tribal consultants, such as historians, genealogists and graduate students, donated substantial amounts of time pro bono or worked at substantially reduced rates in compiling large portions of the petition. Even with this generosity, however, the total cost for consultants and associated expenses over the last fifteen years exceeds \$1 million dollars. Literally tens-of-thousands of documents have been provided with regard to our petition.

The lengthy process also inflicts an immeasurable human cost, wherein the acknowledgement torch is passed from one generation to another. The task of securing professionals to assist us with our petition and the collection of documents from repositories across the United States, Canada and England is itself demanding, but it pales in comparison to the demands of providing for my people without the protection of federal recognition, without a land base. And our current status impacts the prospects for our future generations. Moreover, it is heartbreaking to consider the idea that after nearly 30 years in the administrative process, in the politically charged atmosphere of Washington, D.C., the Department could reverse its proposed favorable finding and decide not confer federal acknowledgment.

Our tribal status is well documented. Interior's proposed finding documents include a 234 page technical report that provides evidence to satisfy each of Interior's mandatory criteria. Interior expressly concluded that each of the mandatory criteria were satisfied, requesting the Tribe to search for *additional* evidence to supplement the evidence that already exists. We have submitted additional documentation, as requested by the Department. Notably, we have provided additional documentation to demonstrate that 94.4% of our members descend from a historic tribe. In all, we estimate that we have submitted thousands of pages of additional documentation for our petition.

One criterion that the Congress may wish to consider for modification is criterion (a) – since 1900, identification of a Tribe by external sources. Although we clearly satisfy this factor (as the Department concluded in its proposed finding), we submit that it is nonsensical that a petitioner could satisfy all of the other criteria, thus demonstrating that it is a Tribe, and yet potentially fail to be recognized simply because a non-Indian never documented the Tribe in the early 1900s or that documentation no longer exists.

III. THIS HONORABLE BODY SHOULD ACT TO RECOGNIZE THE LITTLE SHELL TRIBE

I respectfully implore this honorable Committee to act favorably on the legislation introduced by Senators Tester and Baucus to confirm our federal recognition. I submit that this Congress should complete the efforts of previous Congresses to secure to us a fraction of the Indian lands lost by our people over time. Congress undertook this honorable effort in the 1910s and 20s, appropriating money for the purchase of land for our ancestors but, as Interior officials acknowledged, it was woefully inadequate to meet our desperate needs. In the 1930s and 40s, the Department of the Interior made substantial efforts to enroll our ancestors and acquire land for us, but Congress never appropriated the funds necessary to secure a land base for us. This Congress has an opportunity to finish what it started by acting on our pending legislation. Legislation that will cost the public very little, but will be a giant first step in putting our Tribe on an equal footing with our sister Tribes.

From time to time, representatives in this honorable institution have rightly questioned Congress' ability to determine whether a particular group constitutes an Indian tribe. I submit that this Congress has a more than ample record on which to enact this legislation. In addition to the tens of thousands of records held by the Department in connection with our Petition, the Congress has a long legislative record of acting for our benefit. Congress also has a history of enacting similar legislation. In recent history, Congress enacted such legislation for tribes like the Little Traverse Bay Band and the Little River Band – Tribes for whom Department attempted to recognize in the 1930s but because of the lack of appropriations recognition was never completed. And unlike other tribes acknowledged by federal legislation, here the Congress can rely upon the Department of the Interior's proposed favorable finding to recognize our Tribe.

Our strong historical record is reinforced by the fact that our recognition is not politically controversial in the State of Montana. Our Congressional delegation supports this legislation. Montana's State and local governments support our recognition. And in addition to the Turtle Mountain Band of Chippewa Indians, every federally recognized Tribe in the State of Montana supports our recognition. Indeed, we are the only non-federally recognized tribe included in two significant inter-tribal organizations – the Montana-Wyoming Tribal Leaders Council and the

Council of Large Land Based Tribes. Area tribes recognize our legitimacy. Indeed, we know of no opposition to this legislation by any recognized governmental entity within the State.

As I've previously mentioned, Senator Tester and Baucus' legislation resolves more issues than our recognition. The legislation also addresses issues that often present significant challenges to tribes and local communities after a tribe is recognized through the acknowledgment process. This legislation provides certainty to all interested parties regarding land acquisition and establishes a service area in which the Tribal members can immediately begin to receive long over-due federal services. And finally, the bill provides the certainty of federal acknowledgment. While we fully expect to the Department to affirm it favorable finding – particularly since to the best of our knowledge no party has submitted a single historical record that would undermine Interior's previous finding – such certainty is understandably important. For almost 100 years we have relied on the federal government's promises to take the steps necessary recognize our government and secure a home for our people. We often get so very close and then something goes awry. This legislation is your opportunity to ensure that previous mistakes are not repeated.

Every day that passes has concrete impacts on the Tribe. For example, even though we are eligible for Indian Health Care services, for several years now over 1200 Little Shell members have been taken off of the Indian Health Service rolls because they were not on the original roll the Little Shell Tribe presented to the Bureau of Indian Affairs in 1989. Many of these members were not even born at the time of the original roll or are not on the rolls because of clerical oversight. Federal recognition would alleviate this situation and ensure that all of our tribal members receive necessary health services.

IV. CONCLUSION

I greatly appreciate the opportunity to provide this Committee with an overview of our history, our experience with the Federal Acknowledgement Process, and why this honorable Committee should favorably report S. 724 out of Committee. I am happy to answer any questions from the Committee.